

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

OCT 11 2012

MARLIN L. RUDD,

Plaintiff,

vs.

REBECCA ARNEY, ET AL.,

Defendant(s).

) CASE NO. 7:12CV00348

) FINAL ORDER

) By: James C. Turk

) Senior United States District Judge

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this civil action is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), as frivolous; plaintiff's pending motion for in forma pauperis status (ECF No. 14) is **DISMISSED** as moot; and this action is stricken from the active docket of the court.

ENTER: This 11th day of October, 2012.

[Signature]

Senior United States District Judge